

Remarks

Claims 1-11 are pending in the application, and stand rejected. Favorable reconsideration is respectfully requested.

Related applications

The Examiner's attention is drawn to related application 10/777,638, also filed February 13, 2004 and also a division of 10/202,679 filed July 25, 2002. It is noted that an Office Action was mailed June 8, 2004, in 10/202,679. For the convenience of the Examiner, a copy of the "Notice of References Cited" in the Office Action is attached. No Office Action has yet issued in 10/777,638.

IDS

The Office Action indicated that the IDS filed February 13, 2004 fails to comply with 37 CFR 1.98(a)(2). In response, the Applicant notes 37 CFR 1.98(d). The present application is division of 10/202,679 filed July 25, 2002, and relies thereon for priority. The IDS filed February 13, 2004 properly identifies the latter application. Notwithstanding, though under the rules it is not required, for the convenience of the Examiner and in furtherance of the prosecution of the present application, the Applicant submits herewith copies of France 1,459,254, Germany G8804379.7 and the Search Report in PCT/US 02/27194 in which the latter were cited. It is respectfully requested that the Examiner consider the noted references and return an initialed 1449 to the Applicant as an indication thereof.

Drawings

The drawings were objected to. Withdrawal of the objection is respectfully requested in view of the amended drawings submitted herewith. Specifically:

- In FIG. 1, reference no. 125 has been added;
- In FIG. 2, reference nos. 125 and 235 have been added;
- In FIG. 3, reference no. 325 has been added;
- In FIG. 4, reference no. 435 has been added; and
- In FIG. 5, reference nos. 520 and 325b have been added.

Amendments to the Drawings:

The attached drawing sheets include changes to FIG. 1-5.

In FIG. 1, reference no. 125 has been added.

In FIG. 2, reference nos. 125 and 235 have been added.

In FIG. 3, reference no. 325 has been added.

In FIG. 4, reference no. 435 has been added.

In FIG. 5, reference nos. 520 and 325b have been added.

Attachment: 5 replacement sheets

The specification has been correspondingly amended. No new matter has been added. Entry of the proposed drawing changes is respectfully requested.

Specification

The specification was objected to. Withdrawal of the objection is respectfully requested in view of the amendment to the specification set forth above.

Claim Objections

Withdrawal of the objection to claim 9 is respectfully requested in view of the amendment to the claims set forth above.

Claim Rejections

Section 112

Withdrawal of the rejection of claim 9 under 35 USC 112 is respectfully requested in view of the amendment to the claims set forth above.

Section 103

Claims 1-11 were rejected under 35 USC 103(a) as being unpatentable over Zapawa (US 5,784,816) in view of Moeller et al. ("Moeller") (US 6,099,943).

It is noted that to establish a prima facie case of obviousness under § 103, all claim limitations of a claimed invention must be taught or suggested by the prior art. See MPEP, Section 2143.03 and In re Royka, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). Further, "[i]n order to rely on a reference as a basis for rejection of an applicant's invention, the reference must either be in the field of applicant's endeavor or, if not, then be reasonably pertinent to the particular problem with which the inventor was concerned." In re Oetiker, 977 F.2d 1443, 1446, 24 USPW2d 1443, 1445 (Fed. Cir. 1992).

Moreover, obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. *In re Fine*, 837

F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988); *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992); MPEP 2134.01.

In view of the foregoing authority, the Applicant respectfully submits that the cited references do not support the asserted rejection for at least the reason that they do not teach or suggest the invention as claimed. The invention as recited in claim 1 relates to a security portfolio comprising a first sheet of material, and a second sheet of material fastened to the first sheet, the first and second sheets forming a pocket to removably hold a document. At least a portion of the first sheet extends beyond the second sheet to at least partly support a document placed in the pocket and having a portion extending beyond the pocket. The security portfolio further comprises an identification holder removably fastened to the pocket, the holder configured to receive a personal identification document therein.

The primary reference Zapawa is clearly silent at least as to "at least a portion of the first sheet extends beyond the second sheet to at least partly support a document placed in the pocket and having a portion extending beyond the pocket". Instead, the element of Zapawa (65) alleged by the Examiner to correspond to the claimed first sheet is co-extensive with the element (45) alleged to correspond to the claimed second sheet. See FIG. 5 of Zapawa. This is because Zapawa is directed to forming a "hidden pocket 71" with elements 65 and 45 (see Zapawa, col. 5, lines 12-13). By contrast, the present invention is designed for speed and efficiency in processing a user through security checkpoints. Accordingly, the claimed structure provides for information to be presented free of obstruction by the fingers of a holder. Required information can be simultaneously exposed in a common plane in at least two separate documents, one held in the pocket and one in the identification holder of the claimed security portfolio.

Further, the references do not support the asserted rejection because the secondary reference, Moeller, is in no way related to the field of the Applicant's endeavor, nor reasonably pertinent to the particular problem with which the inventor was concerned. The present invention relates to a document holder/carrier for efficient processing through security checkpoints. Moeller relates to the completely different field of pressure sensitive adhesive labels.

Additionally, it is noted that the Examiner recognizes that Zapawa is silent regarding the identification holder removably fastened to the pocket as required by claim 1. Moreover, Moeller does not remedy deficiencies in Zapawa, for at least the reason the Moeller is also silent as to an identification holder removably fastened to a pocket. Moeller relates to pressure sensitive adhesive labels and says absolutely nothing about document holders, removable or otherwise. Thus, there is absolutely suggestion in either Zapawa or Moeller the proposed modification to Zapawa in view of Moeller. Moreover, Zapawa and Moeller are in totally different fields of endeavor; the ticket holder described in Zapawa involves a completely different art than the pressure sensitive adhesive labels described in Moeller.

In view of the foregoing, claim 1 is allowable over Zapawa and Moeller. Thus, claims 2-11 are likewise allowable over Zapawa and Moeller for at least the reason that they incorporate the features of claim 1 by dependency thereon. Withdrawal of the rejection of claims 1-11 as unpatentable over Zapawa and Moeller is therefore respectfully requested.

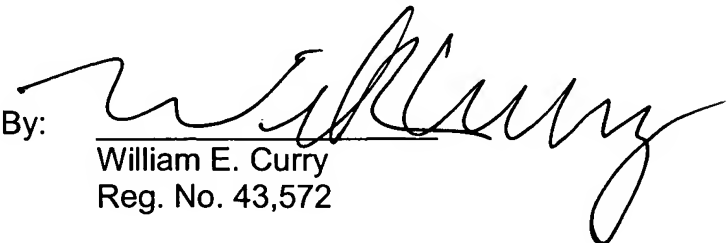
In light of the above discussion, Applicant respectfully submits that the present application is in all aspects in allowable condition, and earnestly solicits favorable reconsideration and early issuance of a Notice of Allowance.

The Examiner is invited to contact the undersigned at (202) 220-4323 to discuss any matter concerning this application. The Office is authorized to charge any fees related to this communication to Deposit Account No. 11-0600.

Respectfully submitted,

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